IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.4554 OF 2004

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Rahul Suresh Pawar @ Rahul Suresh Matte ...Applicant

v/s.

The State of Maharashtra ...Respondent

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Mr.P.M.Mengane for the Applicant.

Mr.D.R.More, APP for the State.

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CORAM: A.M.KHANWILKAR, J.

DATED: 29TH OCTOBER,2004

P.C.:

Leave to correct the cause title.

1. Heard counsel for the parties. Perused the record. It is not in dispute that name of this Applicant/accused No.3 does not figure in the statement of Tatya @ Santosh Govind Pawar as recorded. Indeed, in the First Information Report it is stated that this Applicant managed to escape when the police accosted other accused. In any case, for the reasons already recorded in the order passed in the accompanying application in the case of Bajrang Narayan Pawar/accused No.5, the applicant herein deserves to be enlarged on bail on following conditions.

(i) The Applicant is released on bail in connection with Cr.No.159 of 2004 registered with Foujdar Chavadi Police Station, Solapur on executing personal bond in the sum of Rs.25,000/- with two local sureties in the like amount.

(ii) The Applicant shall not enter the jurisdiction of city of Solapur, except for attending the court matters. This condition is essential for having regard to the prosecution case that there is long standing enmity between two groups.

(iii) The Applicant shall inform the place of his residence to the Investigating Officer as well as the trial court within one week from the date of release.

(iv) The Applicant shall report to the nearest police station once in every fortnight, on Saturday, between 10a.m. to 1 p.m., during the pendency of trial.

(v) The Applicant shall extend full co.operation for early disposal of the trial. If the trial court is of the opinion that the Applicant is responsible for delay of the trial, that fact be recorded in the roznama, and this fact can be ground for cancellation of bail of the Applicant.

(vi) The Applicant shall not influence the prosecution witnesses or tamper with the prosecution evidence in any manner whatsoever.

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